

**LEVIN-EPSTEIN & ASSOCIATES, P.C.**

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December 15, 2023

**VIA ECF**

The Hon. Cheryl L. Pollak, U.S.M.J.  
U.S. District Court, Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Henry v. Cunex, Inc. et al*  
**Case No.: 1:23-cv-03347-PKC-CLP**

Dear Honorable Magistrate Judge Pollak:

This law firm represents Plaintiff Henderson Henry, on behalf of himself and others similarly situated in the proposed FLSA Collective Action, (the “Plaintiff”) in the above-referenced matter. This letter is submitted jointly with counsel for Defendants Cunex, Inc., Cunex Fleet Service Center, Inc. (together, the “Corporate Defendants”), Enrico Fucci and Miguel Taveras (together, the “Individual Defendants”, and collectively, the “Defendants”).

Pursuant to the directives in Your Honor’s December 1, 2023 Electronic Status Report Order, the following joint letter respectfully serves to provide the Court with a status update regarding settlement in the above-referenced action.

The parties attended a virtual mediation on November 29, 2023. Despite the parties’ efforts, the November 29, 2023 virtual mediation was unsuccessful.

The parties respectfully request the scheduling of a virtual initial case conference, to discuss the entry of a discovery schedule.

Thank you, in advance, for your time and attention to this matter.

Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

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